



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

The FAA is not required to seek public comment on this draft order because this document, if finalized, will apply to internal AVS practices.

**ORDER
NUMBER
8130.XX**

XX/XX/XXXX

SUBJ: Special Light-Sport Aircraft Audit Program

This order provides guidance and assigns responsibility for the implementation of the Special Light-Sport Aircraft (S-LSA) Audit Program. This program uses Federal Aviation Administration (FAA) manufacturing and maintenance inspection personnel to—

1. Audit S-LSA manufacturers and their associate facilities to determine compliance with Title 14 of the Code of Federal Regulations (14 CFR), FAA-accepted consensus standards, and procedures established to meet those requirements. Regulations applicable to the manufacture, production, certification, and maintenance of LSA include, but are not limited to, 14 CFR parts 1, 21, 43, 45, and 91.
2. Perform conformity audits on new make/model combination light-sport aircraft applying for special airworthiness certificates in the light-sport aircraft category.
3. Analyze the application of existing requirements to identify national trends that may require developing or revising regulation, policy, or guidance.
4. Establish and maintain an S-LSA eligibility listing.

This program also includes the use of FAA aviation safety engineers and Flight Standards Service aviation safety inspectors as subject matter experts or audit team members.

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Chapter 1. General Information

1-1. Purpose of This Order. The Federal Aviation Administration (FAA) is establishing an approach to continued oversight of special light-sport aircraft (S-LSA) manufacturers to enhance aviation safety. This action is based on recommendations from the Light-Sport Aircraft Manufacturers Assessment (LSAMA) Final Report, dated May 17, 2010. The report identified areas needing minor to significant improvement and made recommendations based on assessment data analysis, conclusions, trending, indicators, and industry responses to a questionnaire.

The report led to the publication of Issuance of Special Airworthiness Certificates for Light-Sport Category Aircraft; Notice of Policy (77 FR 38463; June 28, 2012) (to be codified at Title 14 of the Code of Federal Regulations (14 CFR) part 21). This notice clarifies original FAA policy of reliance on manufacturers' Statements of Compliance for the issuance of airworthiness certificates for S-LSAs under the provisions of 14 CFR § 21.190, Issue of a special airworthiness certificate for a light-sport category aircraft. The notice explains more FAA involvement in the airworthiness certification process for S-LSA is warranted.

This order provides guidance and assigns responsibility for the implementation of an S-LSA program. This program complements other FAA light-sport aircraft (LSA) policy and guidance initiatives and uses FAA manufacturing and maintenance inspection personnel to—

- a.** Audit S-LSA manufacturers and their associate facilities to determine compliance with Title 14 CFR, FAA-accepted consensus standards, and procedures established to meet those requirements. Regulations applicable to the manufacture, production, certification, and maintenance of LSAs include but are not limited to 14 CFR parts 1, 21, 43, 45, and 91.
- b.** Perform conformity audits of new make/model combination LSAs applying for their first special airworthiness certificates in the light-sport category.
- c.** Analyze the application of existing requirements to identify national trends that may require developing or revising regulation, policy, or guidance.
- d.** Establish and maintain an S-LSA eligibility listing.

Note: The use of the word “should” throughout this order refers to a recommended practice. The associated activity is not a requirement; therefore, a record of completion is not required.

1-2. Audience. Aviation Safety (AVS) LSA Audit Program personnel and aviation safety inspectors (ASI).

1-3. Where Can I Find This Order. You can find this order at http://www.faa.gov/regulations_policies/orders_notices/.

1-4. What the LSA Audit Program Does and Does Not Do. The program uses FAA manufacturing and maintenance inspection personnel to perform audits of S-LSA manufacturers and their associate facilities, including LSA kits. The program auditors determine eligibility and monitor compliance to applicable Federal regulations and consensus standards. The program auditors do not—

- a. Perform new make/model combination aircraft conformity audits on serial manufactured aircraft that are derived from the first make/model design, unless deemed necessary.
- b. Perform conformity audits on LSA assembled kits.
- c. Issue airworthiness certificates or special flight permits for LSAs as part of an audit.
- d. Evaluate the accuracy of design data or calculations.

1-5. Explanation of Policy Changes. Reserved.

1-6. Definitions.

a. **Associate Facility:** Any business or individual involved in the manufacture, assembly, or sale of S-LSAs acting individually or on behalf of the manufacturer.

b. **New Make/Model Combination:** An aircraft for which the make/model combination has not previously received special airworthiness certification in the light-sport category. Information required by 14 CFR § 45.11, Marking of products, and § 45.13, Identification data, is used to determine a make/model combination. The “make” is reflected on the aircraft identification plate as the builder’s name. The “model” is reflected on the aircraft identification plate as the model designation assigned by the builder.

c. **Light-Sport Aircraft Manufacturer:** A person who can attest to meeting the provisions of § 21.190, and demonstrate these abilities to the satisfaction of the FAA.

d. **Eligibility Findings:** In this order, eligibility findings are findings observed during an audit that relate to the design, manufacturer, certification, operation, and/or maintenance of S-LSAs. An eligibility finding individually or cumulatively demonstrates that an aircraft is in an undetermined state of conformance, which may affect—

- (1) The airworthiness certification eligibility of the individual S-LSA, or
- (2) The ability of the S-LSA manufacturer to comply with the provisions of FAA Form 8130-15, Light-Sport Aircraft Statement of Compliance.

e. **Finding:** In this order, findings are a non-fulfillment of a requirement which is not likely to affect—

- (1) The airworthiness certification eligibility of the individual S-LSA, or
- (2) The ability of the S-LSA manufacturer to comply with the provisions of the Statement of Compliance (FAA Form 8130-15).

f. **Specific Audit Data:** Data acquired from a unique facility audit.

g. **Composite Audit Data:** Data acquired from multiple facility audits over a period of time.

h. Surveillance Audit: Audits that monitor sustained compliance with 14 CFR, FAA-accepted consensus standards, and procedures established to meet those requirements.

i. New make/model combination aircraft conformity audits: Audits that determine the ability of the S-LSA manufacturer to comply with the provisions of its Statement of Compliance (FAA Form 8130-15) and to determine the eligibility of the individual S-LSA to receive airworthiness certification.

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Chapter 2. S-LSA Audit Program Participation, Personnel, and Orientation

2-1. General. The Aircraft Certification Service, Production and Airworthiness Division (AIR-200), is responsible for the overall management and conduct of the S-LSA audit program. The International Policy Office (AIR-40) may observe international LSA audits. The decision to observe audits is made by AIR-40. AIR-200 will inform AIR-40 of all international audits. The civil aviation authority (CAA) of countries that have a Bilateral Airworthiness Agreement (BAA) concerning airplanes or Bilateral Aviation Safety Agreement (BASA) with associated implementation procedures for airworthiness concerning airplanes or an equivalent airworthiness agreement with the United States may participate in or observe international LSA audits within their jurisdiction. The decision to participate or observe is made by the CAA. AIR-200 will inform all respective CAAs of audits scheduled within their jurisdiction.

2-2. Appointing Office. AIR-200 appoints and makes changes to audit program personnel.

- a. AIR-200 will appoint an LSA audit program manager.
- b. AIR-200 will appoint aviation safety inspectors (ASI) from AIR and Flight Standards Service (AFS) as program auditors.
- c. AIR-200 will appoint support personnel as required.

2-3. Orientation. AIR-200 will provide program orientation for S-LSA audit program personnel.

2-4. LSA Audit Program Manager Responsibilities. The LSA audit program manager is responsible for—

- a. Managing orientation briefing content, attendance, and/or completion records. and
- b. Coordinating and facilitating scheduled orientation activities.

2-5. LSA Audit Program Personnel Responsibilities. Before participating in an LSA audit, program personnel must—

- a. Complete the audit orientation components applicable to their appointment.
- b. Become knowledgeable with the requirements of this order.

2-6. Using Subject Matter Experts. Subject matter experts from FAA offices may be consulted at any time to seek clarification or information concerning audit related preparations, technical issues, findings, and actions.

Chapter 3. Selection and Scheduling of S-LSA Audits

3-1.Types of S-LSA Audits. The two types of S-LSA audits covered by this order are new make/model aircraft conformity audits and surveillance audits. The key difference is:

New make/model aircraft conformity audits are intended to determine the ability of the S-LSA manufacturer to comply with the provisions of its Statement of Compliance (FAA Form 8130-15) and to determine the eligibility of the individual S-LSA to receive airworthiness certification. New make/model aircraft conformity audits establish that the manufacturer and the aircraft initially comply with § 21.190 and FAA-accepted consensus standards. This initial audit is expected to provide the manufacturer and the new aircraft the manufacturer builds a more constructive entry into the manufacturing industry.

Surveillance audits are intended to monitor sustained compliance with 14 CFR, FAA-accepted consensus standards, and procedures established to meet those requirements.

a. Both types of audits include the audit of aircraft. During a surveillance audit, any in-production or complete S-LSA is reviewed as a product sample to verify sustained eligibility and compliance. During the new/make model audit, only the first aircraft of that make/model is reviewed to determine initial compliance, and thereby compliance and eligibility for certification.

b. Both types of LSA audits may include but are not limited to the review of aircraft registration, markings, applicable manuals, procedures, drawings, process specifications, and performance test specifications. Documents such as special flight permits, S-LSA airworthiness certificates, and operating limitations may also be reviewed.

3-2. S-LSA Surveillance Audit Scheduling and Prioritization. S-LSA surveillance audit schedules will be established using existing FAA and external LSA data and market information. Audit schedules will be based on fiscal year, and should represent each class of LSA. The LSA classes will be prioritized respective to each other and within each class using ratios based on production and existing population. When prioritizing audits safety-related information such as fleet exposure or use, scale of manufacturing operation, and complexity of aircraft may be considered. Surveillance audit schedules are not intended to be duplicated until the identified population has been audited. As the identified population is audited, risk prioritization may include additional safety-related information derived from audit data.

3-3. S-LSA New Make/Model Aircraft Conformity Audit Scheduling and Prioritization.

FAA Order 8130.2, Airworthiness Certification of Aircraft and Related Products, describes procedures for advising applicants and issuing airworthiness certificates. The registration of aircraft is described in 14 CFR part 47, Aircraft Registration, and is not a function of airworthiness certification; however, U.S. registration is a prerequisite for issuance of an airworthiness certificate. Progress through the registration and certification system will be monitored by the LSA Program Manager to forecast and schedule new make/model audits. Indicators of progress through these systems include but are not limited to issuance of registration numbers, certification and operation of aircraft under the experimental purpose of research and development, and application/issuance of special flight permits for production flight testing.

AIR-200 may conduct in part or forgo portions of this audit if an existing manufacturer has previously completed a surveillance audit or a new make/model conformity audit within the fiscal year and has corrected any findings resulting from that audit. In this case, the manufacturer will be required to

provide information, which substantiates eligibility for the new make/model aircraft based on all differences between the previous audit and changes related to the new aircraft. The decision to forgo the facility audit is decided by AIR-200 and is based on the circumstances of each individual case. AIR-200 will communicate its intent in a letter of acknowledgement/notification, which announces the intended schedule for audit.

3-4. LSA Manufacturers, Associate Facilities, and Certificated Aircraft Existing, Before the Date of This Order. Aircraft manufacturers and their associate facilities that produce aircraft make/model combinations that received an airworthiness certificate in the special light-sport category before the date of this order and September 26, 2012 (effective date of the (77 FR 38463)), will be audited during scheduled surveillance audits. The requirements of FAA Order 8130.2 regarding new make/model aircraft conformity audits apply to any new make/model aircraft produced by established manufacturing facilities.

3-5. Risk-Based Selection of Facilities to Audit. Manufacturers often have multiple manufacturing facilities and locations; therefore, facility selection occurs as part of audit scheduling using the risk-based selection process. Facility selection will occur by analyzing data contained in FAA databases.

3-6. S-LSA Audit Schedule Development. The LSA audit program manager is responsible for establishing the LSA audit schedule annually. Annual audit schedules will be established using a risk-based selection process and may change as safety-related issues and new entrants into the market emerge and take priority. Previous audit results that encompass eligibility findings, frequency, and severity may be factored into the risk-based scheduling. Annual audit schedules for internal resource projection will be established in conjunction with AIR-200 business planning and budget forecasting deadlines. The audit schedules will include the annual audit schedule applicable for the year to follow and the projected multi-year audit cycle schedule.

3-7. S-LSA Audit Schedule Notification. AIR-200 is responsible for notifying each facility of its intended audit. Because annual schedules may be influenced by unforeseen priorities, selected facilities will be notified no sooner than 90 days before an audit. This is intended to minimize confusion and unnecessary correspondence that could result from required changes.

If an audit has previously been scheduled and the manufacturer has been notified, or if it becomes necessary to reschedule or cancel an event, AIR-200 will notify that manufacturer in writing. For audits of international manufacturers, CAA support may be obtained and documented through a management plan. Audit team leaders have additional responsibilities regarding coordinating audit administrative and logistical information, which is discussed in chapter 4 of this order.

3-8. Selection of LSA Auditors. Audit team members will be selected by the LSA audit program manager to perform specific LSA audits. LSA audit team members will not perform audits of facilities where designees they supervise have provided special or experimental airworthiness certificates. To safeguard against potential conflicts of interest, LSA audit team members will not perform audits of facilities where they have certificated LSAs for special or experimental airworthiness certificates.

3-9. Nonscheduled LSA Audits (Safety-Related Issues). When safety issues regarding the manufacture of LSAs require an unscheduled audit, AIR-200 will notify the manufacturer using whatever means necessary to facilitate the coordination of an immediate audit. Steps outlined in this order may be accelerated to accomplish scheduling. Nonscheduled LSA audits are not common.

Examples of circumstances that could require a nonscheduled LSA audit include responses to accident/incident investigations, National Transportation Safety Board safety recommendations, notifications from foreign CAA, or notifications of concern from industry groups such as the Experimental Aviation Association or General Aviation Manufacturers Association.

3-10. LSA Make/Model Eligibility Listing. AIR-200 will maintain a listing of each aircraft's make/model eligibility for certification based on the surveillance and new make/model aircraft audit completion. The eligibility listing will be provided for use by those who have authorization to issue special airworthiness certificates in the light-sport category.

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Chapter 4. LSA Audit Procedures

Section 1. LSA Audit Preparations (Pre-Audit)

4-1. LSA Audit Preparations. Before the start of an LSA audit, an audit plan will be developed. The audit plan communicates areas of focus for the audit derived from applicable regulatory requirements, consensus standards, data analysis from previous audits, and special emphasis items. The audit plan serves as an organizational tool and assigns responsibilities and areas of focus to individual auditors.

4-2. Team Leader Responsibilities (Pre-Audit). The team leader coordinates with—

- a. The LSA audit program manager to generate and issue the audit plan;
- b. A representative of the facility to be audited to ensure administrative and logistical arrangements for items such as unrestricted access, escorts, meeting rooms, and safety and security requirements are complete; and
- c. Team members, AIR-40, and CAAs to facilitate administrative and logistical travel and audit preparation information.

4-3. LSA Audit Meeting. The team leader and all team members meet before starting the audit, usually at the facility to be audited. The pre-audit team meeting is the forum for the team leader to review team assignments and supplement them if necessary.

4-4. International Audit Preparation. When preparing to conduct audits in foreign countries, the team leader will consult with AIR-40 to determine what considerations and requirements must be addressed in order to travel, coordinate with international CAAs, and conduct audits.

Section 2. How to Conduct the Audit (LSA Audit)

4-5. LSA Audit. The two types of LSA audits covered by this order are surveillance audits and new make/model combination aircraft conformity audits. The purpose of these audits is to determine initial and sustained eligibility for airworthiness certification based on compliance to 14 CFR, FAA-accepted consensus standards, and procedures established to meet those requirements. The LSA audit team determines compliance to any applicable required condition of these documents. LSA audits may include but are not limited to aircraft registration, markings, applicable manuals, procedures, drawings, process specifications, and performance test specifications. FAA Order 8130.2 describes certification procedures and aircraft inspection criteria required for issuing special flight permits, S-LSA airworthiness certificates, and experimental LSA airworthiness certificates. As part of the audit, the team will review compliance with these requirements.

4-6. Team Leader Responsibilities (Audit). The team leader—

- a. Conducts the opening meeting with facility representatives. The opening meeting will cover—
 - (1) Introductions;
 - (2) Attendance rosters, if applicable;
 - (3) The audit's scope, process, and objectives;
 - (4) Logistics, schedule, and escorts if applicable;

(5) An explanation that any information provided to the audit team containing proprietary or confidential information should be marked as such by the manufacturer; and

(6) Arrangements for the daily and/or closeout meeting, and information concerning future coordination or expectations.

b. Conducts daily meetings with facility representatives. The purpose of daily meetings is to—

(1) Provide an ongoing status of observations and concerns.

(2) Encourage open and productive communication.

c. Ensures special emphasis items identified during pre-audit activities and preparations with AIR-40 and CAA representatives are conducted.

d. Ensures all documents or records collected during an audit are marked to indicate at the time the document is obtained when, where, and from whom the document was obtained, and who from the FAA obtained it

e. Coordinates with AIR-200 regarding immediate actions required for eligibility findings. Refer to chapter 8 of this order.

f. Ensures team members report FAA nonconforming products. Refer to paragraph 4-8 and chapter 5 of this order.

g. Conducts the closing meeting with facility representatives. The purpose of a closing meeting is to—

(1) Summarize the results of the audit.

(2) Provide summary of findings observed during the audit.

(3) Address expectations for responding to any forthcoming request for corrective action.

(4) Inform the facility representative of their eligibility or ineligibility to receive S-LSA certification or sign the Statement of Compliance (FAA Form 8130-15).

h. Ensures all audit results of findings are recorded.

i. Ensures completion of the audit.

4-7. Team Member Responsibilities (Audit). Team members—

a. Perform audits of assigned areas outlined in the audit plan.

b. Perform logistical and administrative duties outlined in the audit plan.

c. Record individual audit results.

d. Coordinate with the team leader on all findings of noncompliance.

e. Report nonconforming FAA products through Aviation Safety Service (AVS) Quality Management System Information Technology Support (QMITS).

f. Record information in accordance with FAA Order 8900.1, Flight Standards Information Management System, and the Program Tracking and Reporting Subsystem Procedures Manual (PTRS Procedures Manual) when they are members of AVS or AFS.

4-8. Recording Findings. All findings will be documented before the conclusion of the audit. All findings must be entered into the LSA audit database, and may be entered during post-audit activities. When alternate CFR or FAA policies require further recording of a noncompliance, the corresponding entry will be made in the applicable FAA database. The requirements of the alternate FAA policy and database will become the primary method to resolve and track the noncompliance. For traceability and data analysis, the noncompliance recorded in the LSA database will be tagged to indicate the alternate FAA policy being applied. Examples of alternate FAA databases include but are not limited to—

- a. AVS QMITS;
- b. PTRS in accordance with FAA Order 8900.1; and
- c. Enforcement Information System (EIS) in accordance with FAA Order 2150.3, FAA Compliance and Enforcement Program.

Section 3. Post-Audit Activities

4-9. Recording LSA Audit Results. Results of each audit will be recorded in the LSA audit database. Results entered in the LSA audit database will be analyzed by the audit team to develop corrective action requests, revise policy, and determine future focus areas, eligibility to receive airworthiness certification, eligibility to sign the Statement of Compliance (FAA Form 8130-15), the need for changes to FAA-accepted consensus standards, and if further reporting or compliance action is required.

4-10. Corrective Action and Followup.

a. Post-Audit Letter. Each audit will be followed by a post-audit letter indicating the results of the audit activity and the LSA make/model eligibility status. Courtesy copies of corrective actions and followup letters will be provided to the responsible geographic office (that is, Manufacturing Inspection District Office (MIDO), Flight Standards District Office (FSDO), or CAA).

b. Request for Corrective Action. Findings discovered during an audit will result in a letter to the aircraft's manufacturer. The letter will request corrective action for the findings. If the facility being audited is a manufacturer's associate facility, it will receive a copy of the findings applicable to its portion of the audit and a letter explaining its potential supporting role in the manufacturer's required response and resolution process.

c. Verification of Corrective Actions. Onsite verification of corrective actions will occur when it is not possible to confirm corrective actions via written or electronic correspondence or facsimile. The audit team may request the assistance of FAA geographic offices or a CAA for followup activities and verification of corrective actions. Refer to chapter 6 of this order for further information on CAA involvement.

d. Letter of Eligibility Status. Once findings and corrective actions have been resolved, a letter will be sent to the aircraft's manufacturer confirming successful completion of the audit and communicating the LSA make/model eligibility status.

e. Findings Requiring Additional Actions. Findings requiring additional actions by related FAA policy will be processed in accordance with the applicable policy. The letter will indicate when alternate FAA policy will be applied to a finding. For example, the LSA audit program is designed to audit LSA manufacturers and their aircraft, not FAA employee performance. However, during the review of aircraft documentation in an audit, nonconforming FAA products such as operating limitations or incorrect/incomplete FAA forms may be discovered.

These nonconforming FAA products could be the result of failure to follow FAA policy or ineffective FAA policy and must be reported internally. These types of discoveries are captured in the audit data but do not reflect negatively against the LSA manufacturer.

The AVS Quality Management System (QMS) is the appropriate reporting tool for these types of discoveries. The FAA office responsible for the nonconformity becomes aware of the error through the QMS and is able to correct the error or follow other applicable FAA policy. For example, if a designee were responsible for a nonconforming product, FAA Order 8100.8, Designee Management Handbook, could be a related FAA policy that may require additional action.

4-11. LSA Audit Data Rollup. AIR-200 will produce an annual LSA audit data rollup. The LSA audit data rollup is internal to AIR-200. The purpose of the audit data rollup is to provide AIR-200 a vehicle to—

- a. Measure and improve LSA audit program processes.
- b. Measure regulatory compliance.
- c. Measure regulatory and policy application and effectiveness.
- d. Measure FAA-accepted consensus standard application and effectiveness.
- e. Identify CFR and consensus standard emphasis areas for future audit cycles.
- f. Track population growth and activity.

4-12. Team Leader Responsibilities (Post-Audit). The team leader—

- a. Coordinates all followup actions and correspondence with the manufacturer and any involved FAA geographic office or CAA.
 - b. Generates and issues corrective actions and followup correspondence.
 - c. Provides copies of the letter requesting corrective action to the responsible geographic office.
 - d. Conducts onsite followup activity within the geographic directorate they are assigned.
- LSA audit team leaders will not perform followup activities for facilities where they have—

- (1) Certificated LSAs for special or experimental airworthiness certificates; or
 - (2) Supervised designees that have provided special or experimental airworthiness certificates.
- e. Coordinates onsite followup activity to any member of the audit team or requests assistance for followup activities and verification of corrective actions from FAA geographic offices or CAAs. To safeguard against potential conflicts of interest, LSA audit team members and geographic ASIs may not perform followup activities for facilities where they have—

- (1) Certificated LSAs for special or experimental airworthiness certificates; or

(2) Supervised the designee who provided special or experimental airworthiness certificates for LSAs to that facility.

- f. Enters corrective action completion and closeout data into the LSA audit database.
- g. Files all applicable notes and documents in accordance with AIR-200 recordkeeping requirements.
- h. Ensures audit tasks are completed regarding AIR-40 and CAA coordination.
- i. Ensures notifications required by chapter 6 of this order are completed, when applicable.

4-13. Team Member Responsibilities (Post-Audit). Team members—

a. Perform onsite followup activity within their geographic directorate as applicable. LSA audit team members may not perform followup activities for facilities where they have—

- (1) Certificated LSAs for special or experimental airworthiness certificates; or
- (2) Supervised the designee who provided special or experimental airworthiness certificates for LSAs to that facility.

- b. Provide the team leader applicable audit notes and documents for recordkeeping.
- c. Support the team leader until the audit is complete and closed in the LSA audit database.

4-14. Quality Review of LSA (Post-Audit) Correspondence. The LSA project manager will—

- a. Review audit team correspondence regarding audit results and letters of request for corrective action.
- b. Review audit team documentation regarding corrective action completion and closeout.
- c. Review audit team correspondence regarding audit completion and eligibility determination.

Chapter 5. FAA Noncompliances

5-1. FAA Noncompliances. Noncompliances observed during an audit that result from FAA action or inaction are not the responsibility of the facility being audited. However, the noncompliance must be recorded and addressed when observed. This is done by making an entry of the finding in the LSA audit database and recording the noncompliance through the AVS QMS.

5-2. Eligibility Findings. When an eligibility finding is recorded that affects the airworthiness certification eligibility of an aircraft or fleet of aircraft, and the finding is traceable to a failure to follow requirements of Orders 8130.2 or 8100.8, as part of post-audit notifications the team leader will—

a. Notify the advisor for the designee who issued the certificate, so the advisor can take appropriate action per FAA Order 8100.8, and

b. Notify the managing office who issued the certificate, so the managing office can take appropriate action.

Note: Chapter 7 of this order covers actions for addressing eligibility findings as they relate to affected aircraft.

5-3. Nonconforming FAA Products.

a. Report nonconforming products resulting from FAA errors in accordance with AVS Quality Program Management (QPM) procedures.

Note: All AVS personnel are responsible for following AVS QPM requirements.

b. When a finding is recorded that results in a nonconforming FAA product (for example, incorrect airworthiness certificate issuance or incorrect operating limitation issuance), the LSA audit team member will record the noncompliance in accordance with the FAA policies applicable to the circumstances. The corresponding database entries will be made in accordance with the applicable policy. Examples include but are not limited to the system requirements of the following:

- (1) AVS QMITS,
- (2) PPM in accordance with FAA Order 8900.1, and
- (3) EIS in accordance with FAA Order 2150.3.

Chapter 6. Coordination with Foreign CAAs for LSAs Manufactured Outside of the United States

Section 1. Overview of LSAs Manufactured Outside the United States

6-1. General. Requirements for issuing special airworthiness certificates for an LSA can be found in § 21.190. For aircraft to be eligible—

a. An applicant must provide the FAA with the aircraft's operating instructions, the aircraft's maintenance and inspection procedures, the manufacturer's Statement of Compliance (FAA Form 8130-15), and the aircraft's flight training supplement.

b. As stated in § 21.190(d)(1) and (2) the applicant must provide the FAA evidence that—

(1) The aircraft was manufactured in a country with which the United States has a BAA concerning airplanes or BASA with associated Implementation Procedures for Airworthiness concerning airplanes, or an equivalent airworthiness agreement; and

(2) The aircraft is eligible for an airworthiness certificate, flight authorization, or other similar certification in its country of manufacture.

c. The aircraft must not have been previously issued a standard, primary, restricted, limited, or provisional airworthiness certificate, or an equivalent airworthiness certificate issued by a foreign CAA.

d. The aircraft must be inspected by the FAA and found to be in a condition for safe operation. The manufacturer must provide the FAA unrestricted access to its facilities whether inside or outside the United States.

Section 2. Coordination with CAA

6-2. Requesting and Inviting CAA Support. Management plans are a feature of BAAs and BASAs that facilitate requesting technical assistance from CAAs. A management plan with CAAs where LSA audits will be conducted is desirable. A single management plan for each country listing its LSA manufacturers is also recommended. A CAA's participation or attendance in support of an LSA audit is invited but not required. AIR-200 coordinates all international LSA audit activity through AIR-40. For countries or jurisdictions where the FAA has enough experience with the CAA regarding LSAs, AIR-200 may request the CAA perform some or all LSA audit activities through the management plan. The decision to support the request is at the discretion of the CAA.

6-3. AIR-200 Responsibilities for Notifying and Inviting CAA Support. When the audit team plans to conduct initial LSA manufacturer audits in foreign countries, AIR-200 will perform the following activities:

a. For LSA manufacturers covered in a management plan with a CAA, AIR-200 will send any notifications as agreed to in the management plan.

b. For all other LSA manufacturers, AIR-200 will notify the CAA from the country or jurisdiction where the LSA manufacturer is located and invite its participation as an observer. The CAA will be notified through a formal letter signed by AIR-200 management. The letter should be addressed to the production contact for the CAA. A list of CAAs and respective contacts is available from the AIR-40 website.

c. AIR-200 will transmit the notification per the agreed management plan. If no agreed management plan exists, AIR-200 will send an invitation to the CAA 45 days before the audit. AIR-200 will notify the CAA of any changes to the audit's schedule. The letter should, at a minimum, include the following information:

- (1) Identity of the facility to be audited;
- (2) A statement that the surveillance will be conducted in accordance with this order, and a general outline of what will be included in the scheduled activity;
- (3) Request for CAA participation as an observer, or in accordance with the management plan if one exists;
- (4) Date(s) of the scheduled activity;
- (5) Number of FAA auditors participating in the scheduled activity; and
- (6) Name, address, telephone number, and e-mail address of lead auditor for the assessment.

Chapter 7. Processing Audit Findings

7-1. General. When performing an LSA audit, findings related to FAA regulations and FAA-accepted consensus standards may be discovered. These types of discoveries require additional actions during and after an audit. Findings may be related to FAA Form 8130-15, FAA regulatory requirements, or consensus standards. Findings may be discovered during audits of the manufacturer's facility or its documentation, or during audits of a completed aircraft.

7-2. Immediate Actions. When an eligibility finding is discovered that directly affects an aircraft or fleet of aircraft, it must be reported to the team leader immediately. The team leader must—

- a. Come to a consensus with the team regarding the details of the eligibility-related issue.
- b. Consult with AFS team member(s) regarding any regulatory responsibilities or actions that may need to be considered from an AFS perspective.
- c. Inform AIR-200 management of the eligibility finding and AFS responsibilities. When applicable, AIR-200 management will inform the affected directorate.
- d. Inform the manufacturer of the eligibility finding and the manufacturer's responsibility to comply with the requirements of the consensus standards relating to issuance of a notice of corrective action or safety directive. Immediate action by the manufacturer may mitigate actions taken by the FAA, but the item will be recorded as originally discovered.
- e. Initiate the AIR-200 and/or AFS recommended course(s) of action. This may include but is not limited to—
 - (1) AIR-200 requesting the Small Airplane Directorate (ACE-100) issue a Special Airworthiness Information Bulletin (SAIB). Although an SAIB is advisory in nature, it is an important tool for alerting the aviation community of a potential safety problem. The SAIB can address an unsafe condition on aircraft that do not have type certificates.
 - (2) AIR-200 issuing guidance to withhold new airworthiness certification until the appropriate corrective actions have been accomplished and the conditions are found satisfactory by AIR-200 and/or other involved FAA offices.
 - (3) AIR-200, AFS, or any responsible geographic office initiating actions under FAA Order 2150.3. This may include—
 - (a) Certificate action under Title 49 of the United States Code § 44709, Amendments, modifications, suspensions, and revocations of certificates, for the existing fleet, or
 - (b) If related to an FAA Form 8130-15, investigation for falsification of records under 14 CFR § 21.2, Falsification of applications, reports, or records.
- f. Determine what additional FAA offices to inform and coordinate with.
- g. Copy the related correspondence to any additionally identified FAA offices determined applicable (such as AFS, MIDOs, and FSDOs) at the conclusion of the audit.
- h. Discuss the immediate and followup actions that may or will be taken with the LSA manufacturer or associate facility being audited.
- i. Record the issue and related discussion details within the body of the audit documentation.

7-3. Corrective Actions. The team leader will ensure all findings are recorded as part of the audit documentation and process them as follows:

- a.** Come to a consensus with the team regarding the details of the findings.
- b.** Consult with AFS team member(s) regarding any regulatory responsibilities or actions that may need to be considered from AFS perspective.
- c.** Inform the manufacturer of the findings and the manufacturer's responsibility to comply with the requirements of the consensus standard on continued operational safety monitoring of LSAs for issuance of a notification to owners/operators. Immediate action by the manufacturer may mitigate actions taken by the FAA.
- d.** Allow the manufacturer to take immediate corrective action to resolve the findings and, if satisfactorily resolved, close the documented finding with the action taken.
- e.** Inform the manufacturer it is not eligible to sign another FAA Form 8130-15 until all eligibility findings are resolved, or it may be found in violation of § 21.2.

Appendix A. Notification Requirements

1. Purpose. This appendix provides a tabular summary of the notification requirements identified throughout this order.

2. Description. Table A-1 provides a summary of the notification requirements identified within this order. It identifies the type of notification activity required, who the recipient of the notification should be, and the time period in which the notification should be given.

Table A-1. Notification Requirements Summary

RECIPIENT OF NOTIFICATION	TYPE OF NOTIFICATION				
		Notification of Scheduled Audit	Letter of Non-Compliance and Corrective Action Request	Notification of Eligibility Status and/or Closure of Audit	Response to a Request for New/Make Model Combination LSA Conformity Audit
	Facility of Scheduled Activity and/or Aircraft Manufacturer	Within 90 days	Within 30 days of audit completion	Within 90 days of receipt of corrective action response	Within 30 days
	Geographic Directorate	Within 90 days	Within 30 days of audit completion	Within 90 days of receipt of corrective action response	Within 30 days
	AIR-40	Within 90 days	N/A	N/A	N/A
	Responsible CAA	Within 90 days	Within 30 days of audit completion (if applicable)	Within 90 days of receipt of corrective action response (if applicable)	Within 30 days
	Managing Field Office	Within 90 days	Within 30 days of audit completion (if applicable)	Within 90 days of receipt of corrective action response (if applicable)	Within 30 days
	Other FAA Offices	N/A	Within 30 days of audit completion (if applicable)	Within 90 days of receipt of corrective action response (if applicable)	N/A
TIME PERIOD FOR NOTIFICATION (calendar days before activity)					

Appendix B. Administrative Information

1. Distribution. This order is distributed to Washington Headquarters division levels of the Flight Standards Service (AFS), the branch levels of the Aircraft Certification Service (AIR), the branch levels in the regional Flight Standards Divisions and Aircraft Certification Directorates, all Flight Standards District Offices, all Aircraft Certification Offices, all AIR field offices, all Manufacturing Inspection District Offices and satellite offices, the Aircraft Certification and Airworthiness Branches at the FAA Academy, and the AFS Regulatory Support Division.

2. Delegation of Authority. The AIR Production and Airworthiness Division (AIR-200) is responsible for issuing, revising, or canceling the material in this order.

3. Forms. Not applicable.

4. Deviations. Adherence to the procedures in this order is necessary for uniform administration of this directive material. Any deviations from this guidance material must be coordinated and approved by AIR-200. If a deviation becomes necessary, the FAA employee involved should ensure the deviations are substantiated, documented, and concurred with by the appropriate supervisor. The deviation must be submitted to AIR-200 for review and approval. The limits of federal protection for FAA employees are defined by Title 28 of the United States Code § 2679, Exclusiveness of remedy.

5. Related Publications. Orders referenced in this directive list only the basic order number. It is the responsibility of the user to establish the latest revision/amendments are being used.

6. Requests for Information. All public requests for information regarding production approval or certificate management activities will be processed in accordance with the Freedom of Information Act. Refer to FAA Order 1270.1, Freedom of Information Act Program.

7. Electronic Signature. Not applicable.

8. Suggestions for Improvement. Please forward all comments on deficiencies, clarifications, or improvements regarding this order to—

Aircraft Certification Service
Planning and Program Management Division, AIR-500
ATTN: Directives Management Officer
800 Independence Avenue SW.
Washington, DC 20591

FAA Form 1320-19, Directive Feedback Information, is located as appendix C to this order for your convenience. If you require an immediate interpretation, please contact AIR-200 at (202) 385-6346; however, you should also complete FAA Form 1320-19 as a followup to the conversation.

9. Records Management. Refer to FAA Orders 0000.1, FAA Standard Subject Classification System; 1350.14, Records Management; and 1350.15, Records Organization, Transfer, and Destruction Standards; FAA-IR-04-01, AIR Records Management Requirements Manual; or your office Records Management Officer/Directives Management Officer for guidance regarding retention or disposition of records.

Appendix C. FAA Form 1320-19, Directive Feedback InformationU.S. Department
of Transportation**Federal Aviation
Administration****Directive Feedback Information**

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: FAA Order 8130.XX

To: Directive Management Officer, AIR-510

(Please check all appropriate line items)

☐ An error (procedural or typographical) has been noted in paragraph _____ on page _____.

☐ Recommend paragraph _____ on page _____ be changed as follows:
(attach separate sheet if necessary)

☐ In a future change to this order, please include coverage on the following subject:
(Briefly describe what you want added)

☐ Other comments:

☐ I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

Telephone Number: _____ Routing Symbol: _____

FAA Form 1320-19 (10-98)